



DAN MORALES
ATTORNEY GENERAL

Office of the Attorney General
State of Texas

February 1, 1991

Mr. Joe Ramirez
Materials Management Department
Capital Metro
2910 East Fifth Street
Austin, Texas 78702

OR91-072

Dear Mr. Ramirez:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 10566.

We have considered the exception you claimed, 3(a)(10) specifically, and have reviewed the documents at issue. We find that the contested information constitutes commercial information exempt from disclosure under section 3(a)(10) because its disclosure would likely impair the governmental body's ability to obtain necessary information in the future. See Apodaca v. Montes, 606 S.W.2d 734, 736 (Tex. Civ. App. - 1980, no writ); Open Records Decision Nos. 496 (1988); 309 (1982). A company bidding for a government contract would be unlikely to submit the very detailed and helpful statistical, managerial, and personnel information presented in these contracts if the information could be disclosed to its competitors. For this reason, you may withhold the requested information.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-072.

Yours very truly,

A handwritten signature in cursive script that reads "Faith Steinberg".

Faith Steinberg
Assistant Attorney General
Opinion Committee

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Ref.: ID# 10566

Enclosure: Open Records Decision Nos. 496, 309

cc: Jasper C. Rowe
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